

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RUTH BATES,

Plaintiff,

v.

WAL-MART STORES EAST, d/b/a
WAL-MART

Defendant.

3:22-CV-668
(JUDGE MARIANI)

FILED
SCRANTON

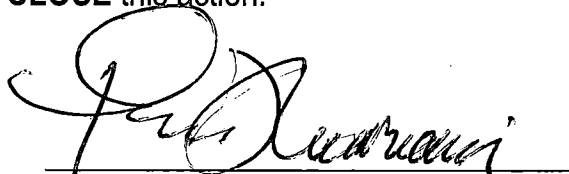
FEB 20 2024

PER Amw
DEPUTY CLERK

ORDER

AND NOW, THIS 20th DAY OF FEBRUARY, 2024, upon review of Magistrate Judge Karoline Mehalchick's Report and Recommendation ("R&R") (Doc. 9) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 9) is **ADOPTED** for the reasons set forth therein.
2. Plaintiff's action is **DISMISSED** pursuant to Fed. R. Civ. P. 41(b) for failure to comply with the Court's Orders and for failure to prosecute this action.¹
3. The Clerk of Court is directed to **CLOSE** this action.



Robert D. Mariani
United States District Judge

¹ Judge Mehalchick's reasoning and conclusion that Plaintiff has failed to prosecute and has abandoned this action is further supported by Plaintiff's failure to file any Objections to the pending R&R.

The Court also agrees with the R&R's findings that an application of the *Poulis* factors supports the dismissal of this action. See Doc. 9, at 4-9; *Poulis v. State Farm Fire and Cas. Co.*, 747 F.2d 863 (3d Cir. 1984).